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USPTO & TRADEMARK OFFICE  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Examining Operations



27162

PATENT TRADEMARK OFFICE

Applicant(s): Shan, et al.

Serial No: 10/070,711

Art Unit: Unassigned

Filed: March 5, 2002

Examiner: Unassigned

Title: Inorganic Oxides With Mesoporosity or Combined Meso-and Microporosity and Process for the Preparation Thereof

Docket No.: 415000-695

Customer No.: 27162

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, D.C. 20231

SIR:

Enclosed please find the following:

1. Response;
2. Executed Declaration and Power of Attorney;
3. Petition for three months Extension of Time;
4. Copy of Notification of Defective Response;
5. Check No. 8600 in the amount of \$1,050.00; and
6. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

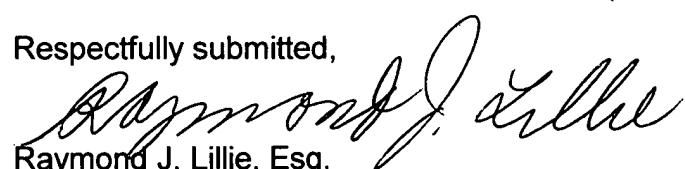
**FIRST CLASS CERTIFICATE**

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

Commissioner for Patents  
Washington, D.C. 20231

Raymond J. Lillie 9/30/02  
Raymond J. Lillie, Esq. Date

Respectfully submitted,

  
Raymond J. Lillie, Esq.  
Reg. No. 31,778

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Shan, et al.  
Serial No. : 10/070,711  
Filed : March 5, 2002  
For : Inorganic Oxides with Mesoporosity or Combined Meso – and Microporosity and Process for the Preparation Thereof  
Group : Unassigned  
Examiner : Unassigned

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

SIR:

This is a Response to the Notification of Defective Response mailed August 9, 2002.

The Notification of Defective Response stated that the current oath or declaration is not executed in accordance with 37 CFR 1.66 or 1.68.

In response, Applicants assert that a properly executed declaration and power of attorney was filed in the Patent Office on July 8, 2002, in timely response to the Notification of Missing Requirements Under 35 U.S.C. 371 dated May 14, 2002. Also accompanying the executed declaration and power of attorney was an executed assignment submitted for recordation.

On September 9, 2002, the assignment, which was recorded on July 8, 2002, was returned to Applicants' attorney, Raymond J. Lillie. Also included with the recorded assignment was the original executed declaration and power of attorney, which

inadvertently was recorded along with the assignment.

The original executed declaration is being returned to the Patent Office along with this response. Also accompanying this response is a petition for extension of time for a period of three months to respond to the Notice of Missing Requirements dated May 14, 2002, and a check in the amount of \$1,050.00. Because this response and the executed declaration and power of attorney are being submitted as a result of a mistake on the part of the Patent Office, it is therefore respectfully requested that the amount of \$1,050.00 be refunded to Applicants' attorney.

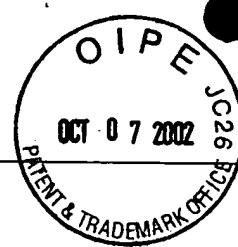
Respectfully submitted,



Raymond J. Lillie  
Registration No. 31,778



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box FFC-1  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

RJL

U.S. APPLICATION NUMBER NO.

10/070,711

FIRST NAMED APPLICANT

Zhiping Shan

ATTY. DOCKET NO.

415000-695

C730340

27162  
 CARELLA, BYRNE, BAIN, GILFILLAN, GECCO &  
 STEWART & OLSTEIN  
 6 BECKER FARM ROAD  
 ROSELAND, NJ 07068

Date Mailed: 08/09/2002

DATE RECEIVED:	8-15-02
ENTERED:	
1)	new response due
2)	Missing parts noted
3)	5-14-02. No 1st pt
4)	10-8-14, 2nd 9-14
5)	3rd 10-14 and final
6)	Deadline 11-14-02
DOCKETED BY:	
DATE:	8-15

INTERNATIONAL APPLICATION NO.

PCT/US00/07064

IA. FILING DATE

03/16/2000

PRIORITY DATE

09/07/1999

CONFIRMATION NO. 2568

371 FORMALITIES LETTER



\*OC000000008591176\*

Also docketed 1 mo office  
 action due  
 9-9-02 final

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) has not been paid in full.

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

10/10/2002 BABRAHA1 00000108 10070711

SUMMARY OF FEES DUE:

01 FC:105

130.00 0P

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice MUST be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,711	PCT/US00/07064	415000-695

FORM PCT/DO/EO/916 (371 Formalities Notice)